

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:	)	
	)	
Katsuyoshi Nagao et al.	)	Group Art Unit: 3761
	)	
Application No.: 10/554,094	)	Examiner: Adam M. Marcetich
	)	
Filed: October 21, 2005	)	
	)	
For: Drug Solution Filling Plastic	)	Confirmation No.: 6586
Ampoule and Process for	)	
Producing the Same	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Mail Stop AF**

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the  
Examiner's decision mailed January 23, 2009.

The item(s) checked below are appropriate:

1. ☒ Applicants petition for a three-month extension of time, based on the mailing date of the outstanding Office action. The petition fee of \$1,110.00 is enclosed.
2. ☐ Applicant has previously filed a Petition for extension of time extending the period for response to the outstanding Office action to \_\_\_\_\_. Applicant now petitions for an additional extension of time to extend the period for response to \_\_\_\_\_. The petition fee of \$\_\_\_\_\_ is enclosed.
3. ☒ The Notice of Appeal Fee of \$540.00 ☒ is enclosed.
4. ☐ The Notice of Appeal Fee was previously paid in this application on \_\_\_\_\_, but the appeal was not completed. Accordingly, no Appeal Fee is due at this time.

5. ☐ A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 22, 2009

By: 

Arthur S. Garrett  
Reg. No. 20,338  
(202) 408-4091

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